

OGC Has Reviewed

5 July 1951

Chief, Medical Staff

General Counsel

Medical Staff Procurement

1. By a memorandum dated 16 June 1951, the Acting Deputy Director (Administration) notified us that you would like a memorandum on the legal aspects of the medical officer procurement problem which has been under discussion. Since then we have had further discussions and this office assisted in drafting a proposed agreement between CIA and the Department of Defense. We believe the legal aspects became clear at that time.

2. If the medical personnel concerned all have reserve commissions, they are not subject to any statutory requirement of service but are subject only to the Defense Department's policy concerning active service for reserves. Consequently, the Defense Department is free to say as a matter of policy that they will accept service with CIA under stated conditions to be equivalent to active service for the purpose of setting categories and priorities for future calls to active service.

3. It is our present understanding that all the individuals with whom we are concerned will hold reserve commissions and, consequently, we are not here concerned with the question of service with CIA being held unsatisfactory to the statutory requirements under the Selective Service Act. If that situation arises, it will have to be discussed with the Selective Service officials.

LAWRENCE R. HOUSTON

OGC/LRH/mls

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